



**THE COMMONWEALTH OF MASSACHUSETTS**

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

OFFICE OF COASTAL ZONE MANAGEMENT

251 Causeway Street, Suite 800, Boston, MA 02114-2136

(617) 626-1200 FAX: (617) 626-1240

Notice of Public Hearing and Submission of the Town of Provincetown's Municipal Harbor Plan Amendment for Secretarial Approval Pursuant to 301 CMR 23.00.

In accordance with applicable regulations at 301 CMR 23.00, public notice is hereby given of the submission of the Town of Provincetown's Municipal Harbor Plan Amendment for approval by the Secretary of the Executive Office of Energy and Environmental Affairs. The Executive Office of Energy and Environmental Affairs and its Office of Coastal Zone Management will conduct a public hearing on the Municipal Harbor Plan Amendment on September 12, 2018 at 5:00 p.m. The hearing will be held at:

Judge Welsh Room  
Town Hall  
260 Commercial Street  
Provincetown, MA 02657

Written comments on the proposed Municipal Harbor Plan Amendment will be considered. Comments must be received by 5:00 p.m. on September 21, 2018 (30 days after publication of this notice in the Environmental Monitor). Comments should be addressed to:

Office of Coastal Zone Management  
251 Causeway Street, Suite 800  
Boston MA 02114  
Attention: Steve McKenna

The Provincetown Municipal Harbor Plan Amendment is available for download at <http://www.provincetown-ma.gov/DocumentCenter/View/9704>. Hard copies are available upon request from the Provincetown Harbormaster's Office by contacting Rex McKinsey at (508) 487-7030.

Copies of the state regulation under which the proposed planning program will be evaluated (301 CMR 23.00) can be obtained at the State Bookstore, Room 116, State House, Boston, MA 02133, or electronically at: <http://www.mass.gov/eea/docs/czm/fcr-regs/301-cmr-23.pdf>.





August 8, 2018

Mr. Matthew A. Beaton  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Dear Secretary Beaton:

Pursuant to 301 CMR 23.06 (2), the Town of Provincetown has completed the public process to renew the Provincetown Harbor Plan ("Plan") approved by the Secretary in 1999, and as amended in 2012. The Provincetown Harbor Committee developed a scope of work and retained Urban Harbors Institute, University of Massachusetts Boston (UHI) to assist in preparing the plan. Please find the Harbor Plan Amendment enclosed. The Plan is consistent with and advances (1) the policies of the Office of Coastal Zone Management and (2) the state's tidelands policy objectives as stated in 310 CMR 23.05(2)(a). Supporting documentation of how the Plan is consistent with these policies and objectives is included as an attachment to this letter. Electronic copies of the Plan will also be sent to any individual by request. Printed versions are available at Town Hall, the Library and the Office of the Harbormaster as required.

The outreach process included three public forums in the summer of 2017 as well as interviews with stakeholders, including recreational participants, commercial excursion and transportation operators, waterfront property owners, fishermen, part-time and year-round citizens and public officials. The Select Board held a public hearing on May 14, 2018 and continued the hearing to June 25, 2018 to incorporate additional input from our informal consultations with the Office of Coastal Zone Management (CZM) and the Department of Environmental Protection (DEP) before voting unanimously to submit the plan for approval.

With UHI, we created an "all in" plan with over ninety recommendations gleaned from public comments during the planning process in 2017. We recognize with this high level view, there will be conflicts between some of the recommendations that will need further discussion as the stakeholders work on their visions and individual projects. Among the issues we address in the Plan update are resource allocation (harbor and landside), maintenance of water-dependent uses on the waterfront, coastal resiliency and improved administration and management of harbor-related matters with a considered focus on the potential effects of climate change.

Secretary Beaton  
Provincetown Harbor Plan submittal  
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The Plan sets forth a vision for the harbor that maintains the historic character of the harbor, while expanding public access and protecting the natural resources located within the harbor planning area. The Plan also contains recommendations as guidance to MassDEP for their use in the review and licensing of structures and uses within c. 91 jurisdiction.

We appreciate the past and on-going assistance provided to the Town by your staff and look forward to continued coordination with CZM and DEP during the approval process for this plan. We understand that pursuant to 301 CMR 23.06 (2)(c), the Secretary's February 29, 2012 approval will remain in full effect until the Secretary issues a final decision to renew the Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "D. B. Panagore", with a long horizontal flourish extending to the right.

David B. Panagore  
Town Manager

Printed cc:

Commissioner Martin Suuberg, MassDEP  
Ben Lynch, Waterways Section Chief, MassDEP  
Bruce Carlisle, Director, CZM

Ecc:

Millie Garcia-Serrano, Regional Director MassDEP SERO  
Ronald Amidon, Commissioner, Dept of Fish and Game  
Leo Roy, Commissioner, Dept of Conservation and Recreation  
Lisa Berry Engler, Assistant Director, CZM  
Steve McKenna, Cape & Islands Regional Coordinator, CZM  
Tom Glynn, Maritime Director Mass. Port Authority  
Kristy Senatori, Acting Executive Director, Cape Cod Commission

## **2018 Provincetown Harbor Plan Amendment Consistency with CZM Policies and State Tideland Policy Objectives**

In accordance with 301 CMR 23.05, Standards for Municipal Harbor Plan Approval, this document presents the ways in which the 2018 Provincetown Harbor Plan Amendment is consistent with the policies of the Office of Coastal Zone Management as well as the state's tidelands policy objectives as stated in 310 CMR 23.05(2)(a). The content contained herein is based on the overall intent of the plan's goals, objectives, and recommendations, and specific excerpts of the 2018 Plan have been included in some cases to provide examples of consistency. Further information and examples are available in the 2018 plan itself.

### **State Tideland Policy Objectives**

(These have been reorganized from 301 CMR 23.05(2)(a) so that like-policy objectives can be discussed jointly, avoiding redundant explanations.)

#### **Natural Resource Protection**

*Tidelands Policy Objective: To ensure that development of all tidelands complies with other applicable environmental regulatory programs of the Commonwealth as provided in 310 CMR 9.33: Environmental Protection Standards, and is especially protective of aquatic resources within coastal Areas of Critical Environmental Concern, as provided in 310 CMR 9.32(1)(e): Areas of Critical Environmental Concern (ACECs)*

Nothing in the 2018 Provincetown Harbor Plan Amendment precludes development of tidelands in a manner that complies with the applicable environmental regulatory programs of the Commonwealth such as MEPA, the Wetlands Protection Act, the Massachusetts Clean Waters Act, and Marine Fisheries Laws.

*Tidelands Policy Objective: To ensure that dredging and disposal of dredged material is conducted in a manner that avoids unnecessary disturbance of submerged lands and otherwise avoids or minimizes adverse effects on water quality, physical processes, marine productivity, and public health, as provided in 310 CMR 9.40: Standards for Dredging and Dredged Material Disposal*

The plan identifies dredging as an opportunity to improve navigation as well as water circulation, and also notes that sediment can be beneficially reused to assist with flood prevention measures such as beach nourishment. Nothing in the 2018 plan suggests that dredging be undertaken in a manner that unnecessarily disturbs submerged lands or adversely affects water quality, physical processes, marine productivity, or public health.

#### **Public Access**

*Tidelands Policy Objective: To preserve any rights held by the Commonwealth in trust for the public to use tidelands for lawful purposes, and to preserve any public rights of access that are associated with such use, as provided in 310 CMR 9.35: Standards to Preserve Water-related Public Rights*

*Tidelands Policy Objective: To ensure that nonwater-dependent use projects on Commonwealth tidelands, except in DPAs, promote public use and enjoyment of such lands to a degree that is fully commensurate with the proprietary rights of the Commonwealth therein, and that ensures that private*

*advantages of use are not primary but merely incidental to the achievement of public purposes, as provided in 310 CMR 9.53: Utilization of Shoreline for Water-dependent Purposes.*

*Tidelands Policy Objective: To ensure that nonwater-dependent use projects on Commonwealth tidelands, except in DPAs, promote public use and enjoyment of such lands to a degree that is fully commensurate with the proprietary rights of the Commonwealth therein, and that ensures that private advantages of use are not primary but merely incidental to the achievement of public purposes, as provided in 310 CMR 9.53: Utilization of Shoreline for Water-dependent Purposes*

This 2018 amendment upholds, from previous plans, the town's intent to protect and enhance visual and physical access to and along the tidelands, waterways, and dry sand, where appropriate.

More specifically, the following tidelands access-related objectives are noted in Appendix B1:

- create more public open space on Provincetown Harbor by eliminating undue encroachments on the dry sand beach areas by shorefront property owners, and in some cases by providing public access to the seaward perimeter of existing hard surface structures;
- make the Provincetown shoreline more approachable for the general public by eliminating undue encroachment on town landings, and by providing more pedestrian accessways and view corridors from Commercial Street to the waterfront; and
- provide appropriate on-site access-related or water-dependent improvements and/or contributions to the Provincetown Harbor Access Gift Fund for off-site harbor improvements.

Public access is also the focus of the requested substitution for Fishermen's Wharf. The 2018 amendment carries forward the need for the substitution identified in the 2012 harbor plan relative to the 10-foot cantilevered walkway on Fishermen's Wharf, but acknowledges that the walkway, as proposed in 2012, is not feasible due to the presence of eelgrass below segments of the proposed walkway. The 2018 amendment speaks to the fact that the Town and the applicant will develop an alternative design that avoids the eelgrass and preserves parking in a manner consistent with the 2012 plan.

Public access is also a feature of the potential offsets identified if the project at Roses's Wharf (227R Commercial Street) cannot meet the open space requirements in 310 CMR 9.51(3)(d) and 9.53(2)(b). More specifically, the offsets would include public programming and amenities on the proposed pier to increase its value as a public destination; and a payment to the Harbor Access Gift Fund.

### *Preservation of Water Dependent Uses*

*Tidelands Policy Objective: To preserve the availability and suitability of tidelands that are in use for water-dependent purposes, or that are reserved primarily as locations for maritime industry or other specific types of water-dependent use, as provided in 310 CMR 9.32(1)(b): Tidelands Within Designated Port Areas (DPAs) and 9.36: Standards to Protect Water-dependent Uses*

*Tidelands Policy Objective: To ensure that nonwater-dependent use projects do not unreasonably diminish the capacity of any tidelands to accommodate water-dependent use, as provided in 310 CMR 9.51: Conservation of Capacity for Water-dependent Use*

*Tidelands Policy Objective: To ensure that nonwater-dependent use projects on any tidelands devote a reasonable portion of such lands to water-dependent use, including public access in the exercise of public rights in said lands, as provided in 310 CMR 9.52: Utilization of Shoreline for Water-dependent Purposes*

The 2018 amendment reflects the importance of preserving tidelands for water-dependent uses and the local maritime industry, which are central to the history, economy, culture, and future of the Town. For example, activation of MacMaillan Pier remains focused on uses supporting the maritime industry, such as commercial fishing operations, ferries and cruise ships, and whale watch excursions. Water-dependent recreational uses such as marinas, sailing clubs, and watercraft rental are generally located off of MacMillan Pier but are encouraged elsewhere along the shore in order to promote safety and reduce congestion and conflicts among users in the vicinity of MacMillan Pier.

The 2018 amendment upholds the policy that nonwater-dependent uses do not unreasonably diminish the capacity of tidelands to accommodate water-dependent uses. The one substitution presented in the 2018 amendment relative to the water-dependent use zone is for the potential development of Rose's Wharf (227R Commercial Street). More specifically, the 2018 amendment states that "the water-dependent use zone shall be redistributed on the project site in a manner which maintains a minimum distance of at least 25-feet away from the project shoreline (Mean High Water mark) and reserves additional area contiguous to the water-dependent use zone. The effect of the provision of the additional contiguous areas will yield a total square footage of the redistributed water-dependent use zone equal to the square footage that would be required under 310 CMR 9.51(3)(c)(1)."

## Compliance with Engineering and Construction Standards

*Tidelands Policy Objective: To ensure that all licensed fill and structures are structurally sound and otherwise designed and built in a manner consistent with public health and safety and with responsible environmental engineering practice, especially in coastal high hazard zones and other areas subject to flooding or sea-level rise, as provided in 310 CMR 9.37: Engineering and Construction Standards;*

The 2018 amendment is consistent with the policy objective that all licensed fill and structures meet the engineering and construction standards identified in 310 CMR 9.37. The 2018 amendment also highlights the potential impacts that climate change may have on coastal development, stressing the need to take future storm surge and sea level rise projections into consideration as infrastructure is repaired, replaced, or installed.

*Tidelands Policy Objective: To ensure that marinas, boatyards, and boat-launching ramps are developed in a manner that is consistent with sound engineering and design principles, and include such pumpout facilities and other mitigation measures as are appropriate to avoid or minimize adverse impacts on water quality, physical processes, marine productivity, and public health, as provided in 310 CMR 9.39: Standards for Marinas/Boatyards/Boat Ramps*

The 2018 amendment is consistent with the policy objective that marinas, boat yards, and boat-launching ramps are developed in a manner consistent with sound engineering and design principles. The 2018 amendment also highlights the need to continue monitoring, enforcing, and publicizing the existing pump-outs in the Harbor, and recognizes the potential impacts sea level rise, storm surge, and other storm-related damage may have on existing pump-out infrastructure.

## Boating Access

*Tidelands Policy Objective: To ensure patronage of public recreational boating facilities by the general public and to prevent undue privatization in the patronage of private recreational boating facilities, as provided in 310 CMR 9.38: Use Standards for Recreational Boating Facilities; and to ensure that fair and equitable methods are employed in the assignment of moorings to the general public by harbor masters, as provided in 310 CMR 9.07: Activities Subject to Annual Permit*

The 2018 amendment is consistent with the policy to ensure patronage of public recreational boating facilities and to prevent undue privatization of said facilities. In the section on recreational boating, the plan calls for a review of public landing facilities to ensure that they are in adequate supply and offer appropriate amenities in good condition. The plan also recommends that the Town explore opportunities for new and expanded recreational boating and sailing programs and facilities in the Harbor.

Furthermore, the 2018 amendment is consistent with the assignment of moorings by harbor masters, as provided in 310 CMR 9.07.

## CZM Policies

The following describes the CZM policies relevant to the 2018 Provincetown Harbor Plan Amendment. (CZM's Energy Policy #1, Energy Policy #2, Ports and Harbors Policy #3, Protected Areas Policy #1, Ocean Resources Policy #2, and Protected Areas Policy #2 are not directly relevant to the 2018 harbor plan.)

*Coastal Hazards Policy #1: Preserve, protect, restore, and enhance the beneficial functions of storm damage prevention and flood control provided by natural coastal landforms, such as dunes, beaches, barrier beaches, coastal banks, land subject to coastal storm flowage, salt marshes, and land under the ocean.*

The 2018 plan addresses this policy in several recommendations largely focused on beach nourishment. For example, the plan speaks to the need for a long-term strategy for beach nourishment, consistent funding for nourishment projects—and for dredging projects where sediment can be beneficially reused in nourishment projects, and an exploration of opportunities to conduct beach nourishment on a regional scale. Further, the 2018 plan recommends expansion of the boat rack storage system to minimize boat storage on beach vegetation.

*Coastal Hazards Policy #2: Ensure that construction in water bodies and contiguous land areas will minimize interference with water circulation and sediment transport. Flood or erosion control projects must demonstrate no significant adverse effects on the project site or adjacent or downcoast areas.*

Provincetown Harbor is experiencing shoaling due to unknown causes. Consistent with Coastal Hazards Policy #2, the 2018 plan recommends studies to determine the extent of bathymetric changes in the Harbor and their causes. The results of these studies should be used during reviews of proposed new marine structures to understand potential impacts on circulation and sedimentation patterns.

*Coastal Hazards Policy #3: Ensure that state and federally funded public works projects proposed for location within the coastal zone will:*

- *Not exacerbate existing hazards or damage natural buffers or other natural resources.*
- *Be reasonably safe from flood and erosion-related damage.*
- *Not promote growth and development in hazard-prone or buffer areas, especially in velocity zones and Areas of Critical Environmental Concern.*

- *Not be used on Coastal Barrier Resource Units for new or substantial reconstruction of structures in a manner inconsistent with the Coastal Barrier Resource/Improvement Acts.*

The sewer system in the downtown area of Provincetown was installed to remove sources of pollution associated with failing septic systems. An already densely developed area, installation of the sewer system is not expected to promote growth and development in hazard-prone downtown. Additional efforts are recommended in the 2018 plan to ensure that all appropriate existing properties on the water-side of Commercial Street be tied in to the sewer system to reduce impacts of flooding on septic systems and cesspools.

*Coastal Hazards Policy #4: Prioritize acquisition of hazardous coastal areas that have high conservation and/or recreation values and relocation of structures out of coastal high-hazard areas, giving due consideration to the effects of coastal hazards at the location to the use and manageability of the area.*

The 2018 harbor plan does not speak specifically to acquisition of hazardous coastal areas, but does not contain language that would contradict this strategy to address coastal hazards.

*Growth Management Policy #1: Encourage sustainable development that is consistent with state, regional, and local plans and supports the quality and character of the community.*

The 2018 plan preserves community character and encourages sustainable means of transportation (*i.e.*, walking and biking) by promoting a dry-sand beach walk and other types of pedestrian access along the Harbor and by providing bike racks in strategic locations to promote biking as an alternative to vehicular transportation. The plan also supports sustainable fishing through recommendations that advance and expand local aquaculture operations and promote sustainable forms of commercial fishing.

*Growth Management Policy #2: Ensure that state and federally funded infrastructure projects in the coastal zone primarily serve existing developed areas, assigning highest priority to projects that meet the needs of urban and community development centers.*

The 2018 plan does not speak to state and federally funded transportation projects, but does recommend the expansion of the municipal waste water treatment facility to accommodate additional connections to the sewer system from existing buildings along Commercial Street. These new sewer hook-ups would be for existing buildings, and would potentially improve water quality in the Harbor, both by addressing currently failing septic systems and by preventing future septic system failures related to coastal flooding.

*Growth Management Policy #3: Encourage the revitalization and enhancement of existing development centers in the coastal zone through technical assistance and financial support for residential, commercial, and industrial development.*

Provincetown's downtown is an excellent example of how state, federal, and municipal partnerships can be used to preserve and promote water dependent uses, improve water quality, and foster economic growth. The Town is expanding its installation of impervious pavement along the downtown waterfront to improve water quality; joint efforts have revitalized MacMillan Pier, which is now the center of commercial water dependent uses in Town; and the Harbor Committee will be taking a more active role in reviewing projects on the water-side of Commercial Street that come before the town for a permit. Recommendations in the 2018 plan promote this type of development in the planning area, making use of technical and financial support.



*Habitat Policy #1: Protect coastal, estuarine, and marine habitats—including salt marshes, shellfish beds, submerged aquatic vegetation, dunes, beaches, barrier beaches, banks, salt ponds, eelgrass beds, tidal flats, rocky shores, bays, sounds, and other ocean habitats—and coastal freshwater streams, ponds, and wetlands to preserve critical wildlife habitat and other important functions and services including nutrient and sediment attenuation, wave and storm damage protection, and landform movement and processes.*

Habitat protection and preservation to “to preserve critical wildlife habitat and other important functions and services including nutrient and sediment attenuation, wave and storm damage protection, and landform movement and processes” is a key theme to several recommendations in the 2018 plan. The Town recognizes the many values of their coastal, estuarine, freshwater, and marine habitats and works diligently to protect these resources. Nothing in the 2018 plan contradicts the town’s long-standing commitment to the environment, and efforts will continue to be made to comply with all existing regulations in the implementation of the plan’s recommendations.

*Habitat Policy #2: Advance the restoration of degraded or former habitats in coastal and marine areas.*

The 2018 plan does not address specific coastal and marine habitat restoration projects, but does promote water quality improvements (see the “water quality” section of the plan for specific recommendations) and shellfish propagation and the development of artificial reefs that could contribute to habitat restoration.

*Ocean Resources Policy #1: Support the development of sustainable aquaculture, both for commercial and enhancement (public shellfish stocking) purposes. Ensure that the review process regulating aquaculture facility sites (and access routes to those areas) protects significant ecological resources (salt marshes, dunes, beaches, barrier beaches, and salt ponds) and minimizes adverse effects on the coastal and marine environment and other water-dependent uses.*

The “aquaculture” section of the 2018 plan is consistent with and supportive of Ocean Resource Policy #1. The goal of the section stresses making aquaculture—of types that will not harm the ecology of the Harbor—a priority use of the Harbor, with recommendations addressing thoughtful expansion in municipal waters and minimization of impacts to natural resources and other harbor users. The “recreational fishing” section of the plan also highlights the use of propagation to restock local populations and potentially create artificial reefs to restore habitat in the Harbor.

*Ocean Resources Policy #3: Accommodate offshore sand and gravel extraction needs in areas and in ways that will not adversely affect marine resources, navigation, or shoreline areas due to alteration of wave direction and dynamics. Extraction of sand and gravel, when and where permitted, will be primarily for the purpose of beach nourishment or shoreline stabilization.*

Provincetown Harbor is experiencing changes in patterns of sedimentation due to unidentified causes. The 2018 plan recommends undertaking studies to identify the causes of the sedimentation, and until those causes are addressed, dredging will be needed to ensure safe navigation and appropriate functioning of the town’s storm water system, which is being compromised in some critical locations as sediment accretes and blocks outfalls. All dredging projects will be done in a manner that is consistent with state and federal regulations, and most dredging activity will be conducted in nearshore locations, as opposed to offshore areas. Furthermore, the 2018 plan promotes long-term planning for dredging and beach nourishment, will which likely minimize negative impacts of such activities.

*Ports and Harbors Policy #1: Ensure that dredging and disposal of dredged material minimize adverse effects on water quality, physical processes, marine productivity, and public health and take full advantage of opportunities for beneficial re-use.*

All dredging activities proposed in the plan will comply with existing state and federal regulations and recommendations in the document identify the benefit of developing a long-term beach nourishment plan that can be tied into dredging projects.

*Ports and Harbors Policy #2: Obtain the widest possible public benefit from channel dredging and ensure that Designated Port Areas and developed harbors are given highest priority in the allocation of resources.*

The section on navigation in the 2018 plan speaks directly to the Ports and Harbors Policy #1. Recommendations include creating a regular dredge maintenance program for critical areas outside the Federal Channel (which is maintained by the Army Corps of Engineers); securing funding to address dredging needs, and advising the Select Board on upcoming dredging needs and projects. Implementation of these recommendations will result in wide-spread public benefits including the safe navigation of pleasure boats and commercial vessels (e.g., ferries and whale watches that operate out of MacMiallan Pier); and associated economic and cultural benefits related to tourism, commercial fishing, and recreational boating.

*Ports and Harbors Policy #4: For development on tidelands and other coastal waterways, preserve and enhance the immediate waterfront for vessel-related activities that require sufficient space and suitable facilities along the water's edge for operational purposes.*

With the exception of the projects at Fishermen's Wharf and Rose's Wharf, the 2018 plan's recommendations are supportive of and consistent with the Public Waterfront Act and Waterways regulations (MGL Ch. 91 and 310 CMR 9.00, respectively). The Town is requesting substitutions and proposing offsets for those two projects (as described in detail in Appendix 1B), and recognizes the important contributions of water-dependent uses in terms of the Town's culture and economy.

*Ports and Harbors Policy #5: Encourage, through technical and financial assistance, expansion of water-dependent uses in Designated Port Areas and developed harbors, re-development of urban waterfronts, and expansion of physical and visual access.*

This 2018 plan is an example of Ports and Harbors Policy #5 in action. The Office of Coastal Zone Management and Department of Environmental Protection assisted with development of aspects of this plan having to do with access and redevelopment of the waterfront, including use of the harbor plan to direct money to the Harbor Access Gift Fund.

*Protected Areas Policy #3: Ensure that proposed developments in or near designated or registered historic places respect the preservation intent of the designation and that potential adverse effects are minimized.*

Much of downtown Provincetown as well as the Long Point Lighthouse are identified as Historic Places on the National Register of Historic Places. The 2018 plan highlights the historic value to the Harbor and downtown area, and seeks to "celebrate the town's history and traditional harbor uses". While the 2018 plan does not speak to specific historic preservation, the historic nature of the waterfront area is reiterated throughout the plan and is especially important with regard to the recommendations to prevent coastal flooding.

*Public Access Policy #1: Ensure that development (both water-dependent or nonwater-dependent) of coastal sites subject to state waterways regulation will promote general public use and enjoyment of the water's edge, to an extent commensurate with the Commonwealth's interests in flowed and filled tidelands under the Public Trust Doctrine.*

Public access was a central focus of previous Provincetown Harbor Plans, and remains a prominent feature the 2018 plan. The "public access" section highlights the many strategies that the Town intends to employ in order to ensure that physical and visual access are provided for, including enforcement of existing access requirements, and improving coordination between municipal departments to ensure that access is considered in all project reviews in the planning area. Furthermore, access is one of the key features of the substitutions that this plan is seeking. At Fishermen's Wharf, the public access walkway is central to that project moving forward. At Rose's Wharf, public access is a key feature of the redevelopment project and plays in the measure requested as a means to offset the potential loss of some of the open space on the project site. The 2018 plan also highlights the need to ensure that "access" includes access for those with disabilities.

*Public Access Policy #2: Improve public access to existing coastal recreation facilities and alleviate auto traffic and parking problems through improvements in public transportation and trail links (land- or water-based) to other nearby facilities. Increase capacity of existing recreation areas by facilitating multiple use and by improving management, maintenance, and public support facilities. Ensure that the adverse impacts of developments proposed near existing public access and recreation sites are minimized.*

Downtown Provincetown becomes congested in the summer months with cars, bikers, and pedestrians competing for space along Commercial Street. The plan recognizes the importance of non-vehicular transportation when it comes to alleviating congestion related to accessing the waterfront, and calls for bike racks and benches at key coastal access sites in order to promote alternative means of transportation. Additional relief from vehicular congestion to recreational areas is provided by the ferries that transport visitors to and from Provincetown on MacMillan Pier – an access site itself, whereby visitors are afforded views of historic downtown, the beaches, and the working waterfront. The Plan calls for continued maintenance and improvements at MacMillan Pier to ensure that it continues to provide this critical function.

*Public Access Policy #3: Expand existing recreation facilities and acquire and develop new public areas for coastal recreational activities, giving highest priority to regions of high need or limited site availability. Provide technical assistance to developers of both public and private recreation facilities and sites that increase public access to the shoreline to ensure that both transportation access and the recreation facilities are compatible with social and environmental characteristics of surrounding communities.*

The 2018 plan supports Public Access Policy #3 through the identification and acquisition of historic point access to the shore. Furthermore, the plan encourages improvements to existing sites (e.g., the boat ramp) and forthcoming developments (e.g., Rose's Wharf) to increase access opportunities.

*Water Quality Policy #1: Ensure that point-source discharges and withdrawals in or affecting the coastal zone do not compromise water quality standards and protect designated uses and other interests.*

The 2018 plan recommends that the Town take steps to ensure that cesspools and failing septic systems be remediated or eliminated, and that efforts are made to reduce the flow of debris from the storm sewer outfalls.

*Water Quality Policy #2: Ensure the implementation of nonpoint source pollution controls to promote the attainment of water quality standards and protect designated uses and other interests.*

The 2018 plan addresses non-point water pollution both from land- and water-based sources. Recommendations focus on ensuring that pump-out facilities are operational and adequate; that homeowners and landscapers are aware of landscaping activities to promote healthy waters, that pet owners clean-up after their animals, that the impervious paving on Commercial Street is expanded and maintained, and that measures are taken to prevent marine debris.

*Water Quality Policy #3: Ensure that subsurface waste discharges conform to applicable standards, including the siting, construction, and maintenance requirements for on-site wastewater disposal systems, water quality standards, established Total Maximum Daily Load limits, and prohibitions on facilities in high-hazard areas.*

The 2018 plan supports existing measures that the Town is taking to address cesspools and failing septic systems in the planning area, consistent with Water Quality Policy #3.



**THE COMMONWEALTH OF MASSACHUSETTS**

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